

# SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** Code Enforcement Lien – HP Investment Group, Inc., as Trustee, 3416 S. Sanford Avenue, Sanford, Parcel # 12-20-30-503-0200-0100, Seminole County

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Matt West **EXT.** 7353

**Agenda Date** 12-09-03 **Regular** ☒ **Consent** ☐ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☐

## MOTION/RECOMMENDATION:

(A) Approve the request to waive the Code Enforcement Board lien on the property located at 3416 S. Sanford Avenue – Sanford – HP Investment Group, Inc., as Trustee, owner (purchased from original owner Jeffrey M. Counelis)  
Case # 01-24-CEB; or

(B) Approve a reduction to the Code Enforcement Board lien on the property located at – 3416 S. Sanford Avenue – Sanford – HP Investment Group, Inc., as Trustee, owner, Case # 01-24-CEB; and upon payment in full, execute a Satisfaction of Lien; or

(C) Approve a reduction to the Code Enforcement Board lien to the estimated administrative costs of \$462.64 for processing Case # 01-24-CEB; and upon payment in full, execute a Satisfaction of Lien; or

(D) Approve a reduction to the Code Enforcement Board lien to \$1,500.00; and upon payment in full, execute a Satisfaction of Lien; or

(E) Deny the request to waive or reduce the Code Enforcement Board lien on the property located at 3416 S. Sanford Avenue – Sanford – HP Investment Group, Inc., as Trustee, owner, Case # 01-24-CEB

Commissioner McLain – District 5

(Matt West – Planning Manager)

## BACKGROUND:

In 1990, under Case # 90-23-CEB, Mr. Counelis was found in violation of having junk vehicles on this property. The Board ordered compliance by November 21, 1990. Mr. Counelis complied by the compliance date.

In 1997, under Case # 97-54-CEB, Mr. Counelis was found in violation of having junk vehicles on this property. The Board ordered compliance by December 31, 1997. Mr. Counelis complied on January 6, 1998 and paid a fine of \$125.00 on April 1, 1998.

Reviewed by:  
Co Atty: RC  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: SS  
CM: RC  
File No: rpdp03

On December 12, 2000, the Code Enforcement Office received a complaint of accumulation of trash and debris, broken, abandoned, or discarded trailers, wrecked, junked or dismantled boat, other waste matter and junked or abandoned vehicles located at 3416 S. Sanford Avenue, Sanford. On December 12, 2000, an inspection was performed and the above items were found on the property.

Notices of Violation were issued to the property owner, Mr. Counelis, on December 12, 2000 and December 28, 2000. Re-inspections revealed the violations remained. Therefore, on February 9, 2001, the Code Inspector filed a Statement of Violation, Request for Hearing with the Clerk to the Code Enforcement Board.

On April 26, 2001, the Seminole County Code Enforcement Board issued its Findings of Fact, Conclusions of Law and Order on property located at 3416 S. Sanford Avenue, Sanford. This Order found the respondent, Jeffrey M. Counelis, to be the owner of record of the property, in possession/control of the property and in violation of:

Section 95.4 as defined in Sections 95.3 (g) and 95.3 (l), junk or abandoned vehicles not being kept within an enclosed garage or attached carport and accumulation of trash and debris.

The Code Enforcement Board further ordered the owner to bring the property into compliance on or before May 17, 2001, or a fine of \$250.00 per day per violation would be imposed.

The respondent was not present at this hearing. Certified notices were mailed and returned by the Post Office. An Affidavit of Posting of Notice of Hearing was filed by the Code Enforcement Inspector on April 16, 2001.

On May 18, 2001, the Code Inspector inspected the property and found the property remained in violation and filed an Affidavit of Non-compliance.

On June 28, 2001, a lien was filed and recorded in the amount of \$20,500.00 with the fine continuing to accrue at \$250.00 per day.

On October 6, 2003, the Clerk to the Code Enforcement Board was advised in writing, that this property had been sold to H P Investment Group, Inc., as Trustee, and that they had in fact cleaned this property and brought it into compliance.

On October 6, 2003, the Clerk to the Code Enforcement Board received a Request for Reduction of Penalty from H P Investment Group, Inc., as Trustee.

On October 8, 2003, the Code Enforcement Inspector re-inspected this property and found it in compliance and an Affidavit of Compliance was filed and recorded.

A fine/lien of \$218,250.00 has accrued for 873 days of non-compliance at \$250.00 per day from May 18, 2001 through October 8, 2003.

The Board's guidelines for reducing liens adopted February 9, 1999 are identified below:

1. If an individual has acquired a property in which the lien was recorded and the individual bought the property with this knowledge, a waiver or reduction in lien should not be granted. In such cases the lien should have been considered in reaching a purchase price.
2. If a lien is not considered when a title insurance policy is issued, a reduction of the lien to provide relief to a title insurer should not be granted. To do so would place the County in the position indemnifying an insurance company against its losses, which are reflected in premium charges.
3. If a lien has previously been reduced, and another request is received for a lien reduction, whether from the original property owner or a new owner, a reduction or waiver should not be granted. If the BCC Grants relief to a violator its action should be final and conclusive.
4. When considering a request and in developing a recommendation to the BCC, staff should evaluate the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation.
5. When liens are satisfied as a result of either full payment or reduced/eliminated payment as directed by the BCC, the lien satisfaction instrument will be provided to the property owner who shall be responsible for recording the instrument in the land records.

#### **STAFF RECOMMENDATION:**

According to Chapter 162, Florida Statute, in determining the amount of the fine, the Code Enforcement Board considers the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

Based on the attached Memorandum from Karen Consalo, Assistant County Attorney and the fact that Mr. Counelis is a repeat violator, Staff would recommend that the lien on the property located at 3416 S. Sanford Avenue, (Option D) be reduced to \$1,500.00 and authorize the Chairman to execute the Satisfaction of Lien upon payment in full. Staff believes that HP Investment Group, Inc., as Trustee, owns said property on behalf of the original owner, Mr. Jeffrey M. Counelis and that the Trust may have been established to allow Mr. Counelis to avoid responsibility for the payment of the liens accrued on this property.

Attachments: Findings of Fact, Conclusions of Law and Order  
Affidavit of Non-Compliance  
Order Finding Non-Compliance and Imposing Fine/Lien  
Affidavit of Compliance  
Revised Findings of Fact, Conclusions of Law and Order  
Request for Reduction of Penalty from H P Investment Group, Inc.  
Property Appraiser Database Information  
Estimated Costs for processing Case # 01-24-CEB  
Memorandum dated November 13, 2003 from Karen Consalo, Assistant  
County Attorney



**COUNTY ATTORNEY'S OFFICE  
MEMORANDUM**

To: Matt West, Planning & Development Manager  
From: <sup>KCC</sup> Karen Consalo, Assistant County Attorney, Ext. 7254  
Date: November 13, 2003  
Subject: HP Investment Group Request for Lien Reduction

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It appears that HP Investment Group, Inc. ("HP") has not fully apprised staff of the situation in regard to 3416 South Sanford Avenue. As I understand it, HP has represented that it purchased this property from Jeffrey Counelis, then conducted a significant clean up of code violations left by Mr. Counelis. In light of this clean up, HP has made a request to have the code enforcement liens on the property, totaling \$218,250.00 (accrued due to two and a half years of noncompliance) removed.

However, upon review of the application submitted by HP, as well as associated legal documents provided by HP in response to my request, it appears that HP is simply acting as the agent for Mr. Counelis. According to the Agreement and Declaration of Trust document, Mr. Counelis established the "3416 South Sanford Avenue Trust" on July 1, 2003. He named HP as the trustee and himself as the beneficiary. Under this trust agreement, Mr. Counelis retained the right to direct HP as to how to manage the property and the right to retain all proceeds rendered from any sale of the property. Mr. Counelis did not pay HP any money to establish this trust and is only paying HP one (1) dollar per month to maintain and run the trust. This is an unusually inexpensive fee for HP to charge for managing a trust. In light of the foregoing, I believe that the trust was established solely to allow Mr. Counelis to avoid responsibility for the payment of the liens accrued prior to the clean up.

Two other documents were executed by Mr. Counelis on July 1, 2003 in regard to this property. One of these documents is a Warranty Deed to Trustee. This document conveyed the property from Mr. Counelis to the Trust. As such, the Trust now owns the property on behalf of Mr. Counelis.

The last document is an Assignment of Beneficial Interest in Trust. Via this document, Mr. Counelis purports to assign his beneficial interest in the Trust to another party. However, no other party is named as the assignee. As such, this document does

not appear to have any legal validity or accomplish any transfer of rights to the Trust. Therefore, Mr. Counelis remains the sole beneficiary of the Trust.

Please call me if you have any questions in regard to the foregoing.

P:\Users\CAKC01\MYDOCS\Letters\West reCounelis lien.doc

SEMINOLE COUNTY  
CEB CASE NO. 01-24-CEB

REQUEST FOR REDUCTION OF PENALTY

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS  
UNDER OATH

INSTRUCTIONS: Please fill in both sides of this form completely. Be specific when writing your statement. Please return this form to the Secretary of the Code Enforcement Board. The Petition will then be presented at the next regularly scheduled meeting and you will be notified in writing of the Board's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a doctor's statement or proof of income). If you have any questions, please call the Secretary at 407-665-7403.

Property Owner's Name HP Investment Group Inc. As Trustee

Property Address 3416 S. Sanford Ave.

Phone number where you can be reached during the day 321-228-3250

Is the property now in compliance? X Yes \_\_\_\_\_ No (If  
no, explain in detail)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you claiming a financial hardship? ✓ Yes \_\_\_\_\_ No

Are you claiming a medical hardship? \_\_\_\_\_ Yes X No

If the property owner is unable to complete this form, list the name of the person who is authorized to act for the Property Owner and their relationship to the Property Owner:

\_\_\_\_\_  
\_\_\_\_\_

I, Hunter Paschall, do hereby submit this  
Petition in request for a reduction in the total amount of  
penalty imposed and in support, offer the following statement:

I am new owner of Title for this property  
I have cleaned up the property at a high cost because  
of the amount of trash and debris, vehicles ect.

I hope that the cleaning up of an eyesore  
and making the property livable ~~and~~ <sup>will make it</sup> a pleasure to  
look at instead of a nuisance to the public.

I hope that the Board will grant my Request  
This is not the first time we have cleaned up  
property in violation and brought it back to life  
to get the liens removed because of hard work and  
beautification of the City or County.

I have enclosed two of the letters we have received  
just recently but there have been numerous people  
coming by and thanking us for doing so.

Date: 10/5/03

Signed: Hunter Paschall  
Print Name: Hunter Paschall

State of Florida  
County of Seminole

PERSONALLY appeared before me, the undersigned authority duly  
authorized to administer oaths and take acknowledgments,  
Hunter Paschall, who first being duly sworn,  
acknowledged before me that the information contained herein is  
true and correct. He/she is not personally known to me and has  
produced personally known as identification and did take an  
oath.


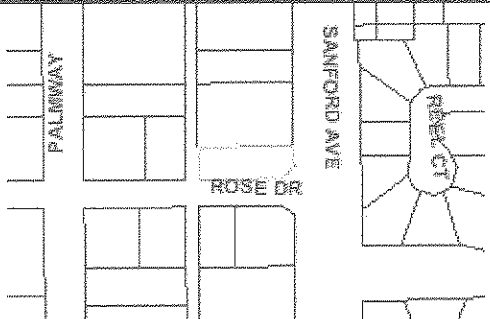
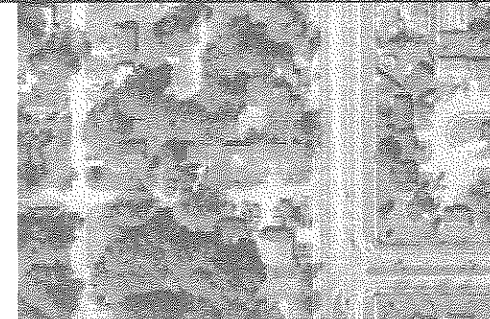
Date: 10/6/03

Marjorie A. Stone  
Notary Public  
My Commission Expires: Feb 23, 2007



Marjorie A. Stone  
Commission #DD186849  
Expires: Feb 23, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.



PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ Back ▶																								
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																													
<b>GENERAL</b> Parcel Id: 12-20-30-503-0200-0100      Tax District: 01-TX DIST 1 - COUNTY Owner: HP INV GROUP INC TRUSTEE      Exemptions: 00-HOMESTEAD Own/Addr: FBO Address: 3416 S SANFORD AVE City,State,ZipCode: SANFORD FL 32773 Property Address: 3416 SANFORD AVE S SANFORD 32773 Subdivision Name: FLORA HEIGHTS Dor: 01-SINGLE FAMILY				<b>2004 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$67,383 Depreciated EXFT Value: \$717 Land Value (Market): \$7,259 Land Value Ag: \$0 Just/Market Value: \$75,359 Assessed Value (SOH): \$63,536 Exempt Value: \$25,000 Taxable Value: \$38,536																									
<b>SALES</b> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>09/2003</td> <td>05016</td> <td>0814</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>12/1978</td> <td>01205</td> <td>0182</td> <td>\$8,000</td> <td>Improved</td> </tr> <tr> <td>ARTICLES OF AGREEMENT</td> <td>04/1978</td> <td>01166</td> <td>0645</td> <td>\$17,500</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	09/2003	05016	0814	\$100	Improved	QUIT CLAIM DEED	12/1978	01205	0182	\$8,000	Improved	ARTICLES OF AGREEMENT	04/1978	01166	0645	\$17,500	Improved	<b>2003 VALUE SUMMARY</b> 2003 Tax Bill Amount: \$635 2003 Taxable Value: \$37,047 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	
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<b>LAND</b> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT &amp; DEPTH</td> <td>61</td> <td>196</td> <td>.000</td> <td>100.00</td> <td>\$7,259</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	61	196	.000	100.00	\$7,259	<b>LEGAL DESCRIPTION PLAT</b> LEG LOT 10 BLK 2 (LESS RD) FLORA HEIGHTS PB 3 PG 19													
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<b>BUILDING INFORMATION</b> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1945</td> <td>6</td> <td>3,349</td> <td>2,324</td> <td>SIDING AVG</td> <td>\$67,383</td> <td>\$114,694</td> </tr> </tbody> </table> Appendage / Sqft      UTILITY UNFINISHED / 1025						Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1945	6	3,349	2,324	SIDING AVG	\$67,383	\$114,694						
Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																					
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																													

BACK

PROPERTY APPRAISER  
HOME PAGE

CONTACT

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of Florida,

CASE NO. 01-24-CEB

Petitioner,

vs.

JEFFREY M. COUNELIS  
3416 South Sanford Avenue  
Longwood, Florida 32773

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Respondent is in violation of Section 95.4 of the Seminole County Code, as defined in Sections 95.3(g) and 95.3(l), the Seminole County Code based on the following findings:

(a) The Respondent is the owner of record of the property (Tax Parcel ID #12-20-30-503-0200-0100) located at 3416 South Sanford Avenue, Longwood, Florida, located in Seminole County and legally described as follows:

LEG LOT 10 BLK 2 (LESS RD) FLORA HEIGHTS PB 3 PG 19

(b) The Respondent is in possession/control of the property.

(c) On December 12, 2000, a Seminole County Code Inspector inspected the property and found the accumulation of trash and debris and a junk or abandoned vehicle not within an enclosed garage or carport on the property.

(d) On December 12, 2000, Respondent was provided notice of the violations and given until December 26, 2000 to correct the violations.

(e) On December 27, 2000, a Seminole County Code Inspector reinspected the property and found that the violations remained on the property.

(f) On December 28, 2000, Respondent was provided notice of the violations and given until January 12, 2001 to correct the violations.

(g) On February 1, 2001, a Seminole County Code Inspector reinspected the property and found the violations remained on the property.

The Respondent shall correct the violations by May 17, 2001. In order to correct the violations, the Respondent shall take the following remedial action:

MARYANNE MORSE  
CLERK OF CIRCUIT COURT

687599

SEMINOLE COUNTY, FL  
RECORDED & VERIFIED

01 MAY - 2 AM 8:02

OFFICIAL RECORDS  
BOOK PAGE

4065 1501

SEMINOLE COUNTY, FL

4065 1502

SEMINOLE CO..FL

CASE NO 01-24-CEB  
JEFFREY M COUNELIS  
PAGE TWO

- (A) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS; AND
- (B) REMOVE JUNK OR ABANDONED VEHICLES NOT WITHIN AN ENCLOSED GARAGE OR CARPORT.

If the Code Inspector files an affidavit with the Code Enforcement Board stating that the Respondent has complied with this Order by the date set for compliance, then the Code Enforcement Board shall at a subsequent meeting issue an order confirming the compliance. The order shall be recorded in the official land records of Seminole County. A hearing is not required for the Code Enforcement Board to issue the order acknowledging compliance.

If the Code Inspector files an affidavit with the Code Enforcement Board stating that the Respondent did not comply with this Order by the date set for compliance, then the Code Enforcement Board shall at a subsequent meeting issue an order confirming the non-compliance and ordering the Respondent to pay a fine of **\$250.00** for each day the violation continues past the date set for compliance. Such order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent. A hearing is not required for the Code Enforcement Board to issue the order imposing the fine/lien.

**The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance.** Any fine imposed shall continue to accrue until such time as the Code Inspector inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County, Florida.


**DONE AND ORDERED** this 26<sup>th</sup> day of April, 2001, in Seminole County, Florida.

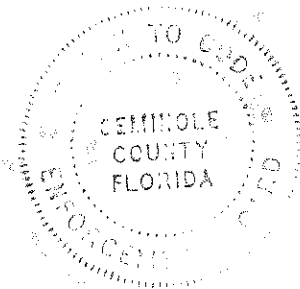
CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

  
JAY AMMON, VICE CHAIR

STATE OF FLORIDA           )  
COUNTY OF SEMINOLE    )

The foregoing instrument was acknowledged before me this 26th day of April, 2001, by Jay Ammon, who is personally known to me.

  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:



CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of  
Florida,

CASE NO. 01-24-CEB

Petitioner,  
vs.

Jeffrey M. Counelis,

Respondent.

**AFFIDAVIT OF NON-COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared **Deborah Leigh**, Code Inspector for **PLANNING**, who after being duly sworn, deposes and says:

1. That on **April 26, 2001**, the Board held a public hearing and issued its Order in the above-styled matter.

That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **May 17, 2001**.

That a re-inspection was performed on **May 18, 2001**.

That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **the accumulation of trash and debris and junked, abandoned and/or non-operating vehicles still remain on the subject property.**

FURTHER AFFIANT SAYETH NOT.

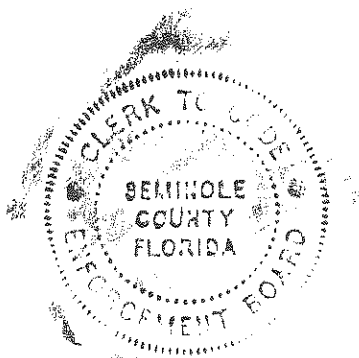
DATED this **18th** day of **May 2001**.

*Deborah Leigh*  
INSPECTOR

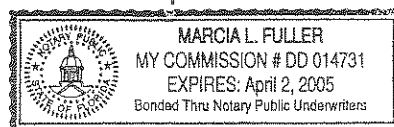
STATE OF FLORIDA     )  
COUNTY OF SEMINOLE    )

The foregoing instrument was acknowledged before me this **18th** day of **May 2001**, by **Deborah Leigh**, who is personally known to me and who did take an oath.

AFFNON.COM



*Marcia L. Fuller*  
Notary Public in and for the County  
and State Aforementioned  
My commission expires:



7001763  
MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FL  
RECORDED & VERIFIED  
01 MAY -1 AM 8:06

**CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA**

**SEMINOLE COUNTY, a political  
subdivision of the State of Florida,**

**Petitioner,**

**vs.**

**JEFFREY M COUNELIS  
3416 SOUTH SANFORD AVENUE  
SANFORD FL 32771**

**Respondent.**

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MARYANNE MORSE, CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY  
BK 04127 PG 1722  
CLERK' **CASE NO. 01-24-CEB**  
RECORDED 07/16/2001 08:39:00 AM  
RECORDING FEES 10.50  
RECORDED BY u user11

**ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN**

The Respondent is the owner of record of the property (Tax Parcel ID #12-20-30-503-0200-0100) located at 3416 S Sanford Avenue, Sanford, Florida, located in Seminole County and legally described as follows:

**LEG LOT 10 BLK 2 (LESS RD) FLORA HEIGHTS PB 3 PG 19**

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 26<sup>th</sup> day of April 2001, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Section 95.4 as defined in Section 95.3(g) & (l), Seminole County Code.

Said Order required Respondent to take certain corrective action by May 17, 2001.

Said Order stated that a fine of \$250.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of May 18, 2001, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated April 26, 2001, the Board orders that a fine of \$20,500.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the date set for compliance and a fine of \$250.00 per day is ordered against the property for each day the violation continues past June 28, 2001.

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

RETURN TO SANDY MCCANN

CASE NO 01-22-CEB  
JEFFREY M COUNELIS

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.


**DONE AND ORDERED** this 28<sup>th</sup> day of June, 2001, in Seminole County, Florida.

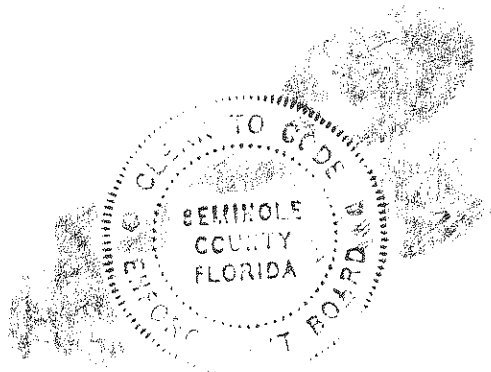
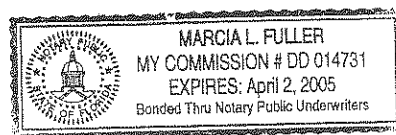
CODE FORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

  
JEAN METTS, CHAIR

STATE OF FLORIDA       )  
COUNTY OF SEMINOLE    )

The foregoing instrument was acknowledged before me this 29th day of June, 2001, by Jean Metts, who is personally known to me.

  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:



CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of Florida,

CASE NO. 01-24-CEB

Petitioner,

vs.

JEFFREY M. COUNELIS  
3416 South Sanford Avenue  
Sanford, Florida 32773

Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY  
BK 04127 PG 1736  
CLERK'S # 2001722877  
RECORDED 07/16/2001 08:55:00 AM  
RECORDING FEES 10.50  
RECORDED BY u user11

REVISED  
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Respondent is in violation of Section 95.4 of the Seminole County Code, as defined in Sections 95.3(g) and 95.3(l), the Seminole County Code based on the following findings:

(a) The Respondent is the owner of record of the property (Tax Parcel ID #12-20-30-503-0200-0100) located at 3416 South Sanford Avenue, Sanford, Florida, located in Seminole County and legally described as follows:

LEG LOT 10 BLK 2 (LESS RD) FLORA HEIGHTS PB 3 PG 19

(b) The Respondent is in possession/control of the property.

(c) On December 12, 2000, a Seminole County Code Inspector inspected the property and found the accumulation of trash and debris and a junk or abandoned vehicle not within an enclosed garage or carport on the property.

(d) On December 12, 2000, Respondent was provided notice of the violations and given until December 26, 2000 to correct the violations.

(e) On December 27, 2000, a Seminole County Code Inspector reinspected the property and found that the violations remained on the property.

(f) On December 28, 2000, Respondent was provided notice of the violations and given until January 12, 2001 to correct the violations.

(g) On February 1, 2001, a Seminole County Code Inspector reinspected the property and found the violations remained on the property.

The Respondent shall correct the violations by May 17, 2001. In order to correct the violations, the Respondent shall take the following remedial action:

RETURN TO SANDY MCCANN

- (A) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS; AND
- (B) REMOVE JUNK OR ABANDONED VEHICLES NOT WITHIN AN ENCLOSED GARAGE OR CARPORT.

If the Code Inspector files an affidavit with the Code Enforcement Board stating that the Respondent has complied with this Order by the date set for compliance, then the Code Enforcement Board shall at a subsequent meeting issue an order confirming the compliance. The order shall be recorded in the official land records of Seminole County. A hearing is not required for the Code Enforcement Board to issue the order acknowledging compliance.

If the Code Inspector files an affidavit with the Code Enforcement Board stating that the Respondent did not comply with this Order by the date set for compliance, then the Code Enforcement Board shall at a subsequent meeting issue an order confirming the non-compliance and ordering the Respondent to pay a fine of **\$250.00** for each day the violation continues past the date set for compliance. Such order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent. A hearing is not required for the Code Enforcement Board to issue the order imposing the fine/lien.

**The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance.** Any fine imposed shall continue to accrue until such time as the Code Inspector inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County, Florida.

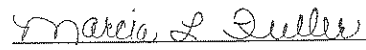
**DONE AND ORDERED** this 26<sup>TH</sup> day of April, 2001, in Seminole County, Florida.

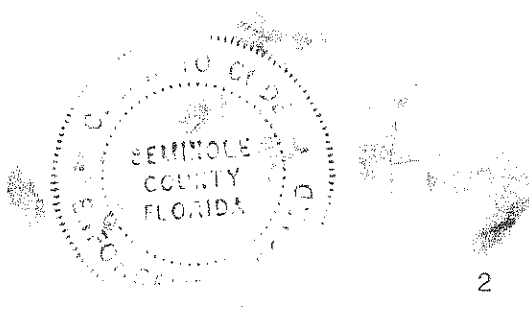
CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

  
JAY AMMON, VICE CHAIR

STATE OF FLORIDA           )  
COUNTY OF SEMINOLE    )

The foregoing instrument was acknowledged before me this 3rd day of July, 2001, by Jay Ammon, who is personally known to me.

  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:





**Estimate of Costs**  
**CEB Case # 01-24-CEB**  
**Jeffrey M. Counelis/HP Investment Group, Inc.**

<u>Postage</u>				
Regular	8	\$ .27	\$ 2.16	
Certified	1	\$ 3.74	\$ 3.74	
				\$5.90
<u>Site Inspections</u>				
20 Site Visits	15 min ea	\$32.00	\$160.00	
3.6 miles – Est. driving time 8 minutes (as determined on Yahoo Maps)				\$ 160.00
<u>Processing Time for</u>				
<u>Code Enforcement and BCC Action</u>				
Inspector	1.5 hour	\$ 32.00	\$ 48.00	
Code Board Secretary	1.5 hour	\$ 25.00	\$ 37.50	
Associate Technician	1.5 hour	\$ 22.00	\$ 33.00	
Program Manager	2.5 hour	\$ 31.00	\$ 77.50	\$ 196.00
County Attorney's Review	Associated costs not calculated Figures are not available			
Planning Manager's Review				
Planning and Development Director's Review				
Deputy County Manager's Review				
<u>Unit Costs</u>				
Total 2001/2002 Code Enforcement Budget Costs / Total Violation Cases				
Unit Cost \$ 288,063 / 3540      Average cost per violation - \$ 81.37				
Total 2001/2002 Operating Expenses / Total Violation Cases				
Operating Expenses \$ 68,583 / 3540      Average cost per violation \$ 19.37				
				\$ 100.74
Other associated costs not captured:				
Fleet expense, Phone expense, Utilities, Computer Support				
<b>ESTIMATED COST FOR PROCESSING CASE # 90-34-CEB</b>				<b>\$ 462.64</b>